

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of HEATHER LYNN
CHAMBLESS, ASHLEY ANN CHAMBLESS,
and ROBERT FLOYD CHAMBLESS, Minors.

DEPARTMENT OF HUMAN SERVICES, f/k/a
FAMILY INDEPENDENCE AGENCY,

UNPUBLISHED
February 1, 2007

Petitioner-Appellee,

v

PATRICIA L. CHAMBLESS,

Respondent-Appellant.

No. 270114
Oakland Circuit Court
Family Division
LC No. 98-604042-NA

Before: Borrello, P.J., and Jansen and Cooper, JJ.

MEMORANDUM.

Respondent appeals as of right the order terminating her parental rights to the minor children under MCL 712A.19b(3)(b)(ii), (g), and (j). We affirm. This appeal is being decided without oral argument. MCR 7.214(E).

To terminate parental rights, a trial court must find that at least one of the statutory grounds contained in MCL 712A.19b(3) has been met by clear and convincing evidence. *In re Jackson*, 199 Mich App 22, 25; 501 NW2d 182 (1993). Once this has occurred, the trial court must terminate parental rights unless it finds that termination is clearly contrary to the best interests of the children. MCL 712A.19b(5); *In re Trejo*, 462 Mich 341, 354; 612 NW2d 407 (2000). We review the trial court's findings under the clearly erroneous standard. MCR 3.977(J); *In re Trejo*, *supra* at 356-357.

Here, there was substantial evidence that at least one of the minor children had been physically and sexually abused by the father and that respondent had done nothing to stop or prevent the abuse. There was also substantial evidence that respondent had failed to secure permanent and lasting employment or housing. Significantly, respondent pleaded no contest to the allegations contained in the petition. The circuit court did not clearly err in finding that at least one statutory ground for termination was established by clear and convincing evidence. MCR 3.977(J); *In re Trejo*, *supra* at 356-357.

Nor did the evidence show that termination of respondent's parental rights was clearly contrary to the children's best interests. MCL 712.19b(5); *In re Trejo*, *supra* at 354. Respondent's own testimony revealed that she still did not fully believe her daughter's allegations of sexual abuse perpetrated by the father, and that she blamed her daughter for many of the father's problems. Respondent engaged in only a half-hearted and last-minute effort to address the conditions alleged in the petition, and the evidence indicated that a lengthy period of intensive intervention would be required before respondent could possibly regain the skills to parent the children appropriately. Although a psychologist suggested that termination would not be in the children's best interests, the circuit court found that the psychologist's opinion was not persuasive in light of the other evidence presented in this case. The trial judge was in the best position to judge the credibility of the testimony, and her view must be accorded deference by this Court. *In re Miller*, 433 Mich 331, 337-338; 445 NW2d 161 (1989). Based on the record before us, the circuit court did not clearly err in terminating respondent's parental rights to the minor children.

Affirmed.

/s/ Stephen L. Borrello
/s/ Kathleen Jansen
/s/ Jessica R. Cooper